

Cynthia Z. Levin, Esq.
Law Offices of Todd M. Friedman, P.C.
1150 First Avenue, Suite 501
King of Prussia, PA 19406
Phone: 888-595-9111 ext 618
Fax: 866 633-0228
clevin@attorneysforconsumer.com
Attorney for Plaintiff

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

CLAUDETTE TAYLOR,) Case No.
)
Plaintiff,) COMPLAINT FOR VIOLATION
) OF THE FEDERAL FAIR DEBT
vs.) COLLECTION PRACTICES ACT
)
ENHANCED RECOVERY)
COMPANY, LLC,)
)
Defendant.)

I. INTRODUCTION

1. This is an action for damages brought by an individual consumer for Defendant's violations of the Fair Debt Collection Practices Act, 15 U.S.C. §1692, *et seq.* (hereinafter "FDCPA"), which prohibit debt collectors from engaging in abusive, deceptive, and unfair practices.

II. JURISDICTION

2. Jurisdiction of this Court arises under 15 U.S.C. §1692k (d).

III. PARTIES

3. Plaintiff, Claudette Taylor (“Plaintiff”), is a natural person residing in Philadelphia county in the state of Pennsylvania, and is a “consumer” as defined by the FDCPA, 15 U.S.C. §1692a(3).

4. At all relevant times herein, Defendant, Enhanced Recovery Company, LLC, (“Defendant”) was a company engaged, by use of the mails and telephone, in the business of collecting a debt from Plaintiff which qualifies as a “debt,” as defined by 15 U.S.C. §1692a(5). Defendant regularly attempts to collect debts alleged to be due another, and therefore is a “debt collector” as defined by the FDCPA, 15 U.S.C. §1692a(6).

IV. FACTUAL ALLEGATIONS

5. At various and multiple times prior to the filing of the instant complaint, including within the one year preceding the filing of this complaint, Defendant contacted Plaintiff in an attempt to collect an alleged outstanding debt.

6. In or about July or August of 2012, Defendant began contacting Plaintiff in connection with an attempt to collect an alleged debt.

7. Defendant places collection calls from its telephone number (800) 459-3186 and other numbers.

8. Defendant places collection calls to Plaintiff on her home telephone of (215) 545-4263 and her work telephone of (215) 832-4900.

1 9. Plaintiff never provided Defendant with consent to communicate
2 with her at her place of employment.
3

4 10. Defendant calls both Plaintiff's home and work telephones on a
5 virtual daily basis, often placing upwards of two (2) to three (3) collection calls in
6 a single day to each of Plaintiff's telephone numbers.
7

8 11. Defendant's conduct violated the FDCPA in multiple ways,
9 including but not limited to:
10

- 11 a) Causing Plaintiffs telephone to ring repeatedly or continuously with
12 intent to harass, annoy or abuse Plaintiff (§1692d(5));
13
14 b) Communicating with Plaintiff at times or places which
15 were known or should have been known to be inconvenient
16 for Plaintiff (§1692c(a)(1)); and
17
18 c) Engaging in conduct of which the natural consequence is
19 the abuse and harassment of Plaintiff (§1692d).

20 12. As a result of the above violations of the FDCPA Plaintiff suffered
21 and continues to suffer injury to Plaintiff's feelings, personal humiliation,
22 embarrassment, mental anguish and emotional distress, and Defendant is liable to
23 Plaintiff for Plaintiff's actual damages, statutory damages, and costs and
24 attorney's fees.
25
26
27
28

**COUNT I: VIOLATION OF FAIR DEBT
COLLECTION PRACTICES ACT**

13. Plaintiff reincorporates by reference all of the preceding paragraphs.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully prays that judgment be entered
against the Defendant for the following:

- A. Actual damages;
- B. Statutory damages;
- C. Costs and reasonable attorney's fees; and
- D. For such other and further relief as may be just and proper.

PLAINTIFF HEREBY REQUESTS A TRIAL BY JURY

Respectfully submitted this 19th day of December 2012.

By: /s/ Cynthia Z. Levin
Cynthia Z. Levin, Esq.
Law Offices of Todd M. Friedman, P.C.
1150 First Avenue, Suite 501
King of Prussia, PA 19406
Phone: 888-595-9111 ext 618
Fax: 866 633-0228
clevin@attorneysforconsumer.com
Attorney for Plaintiff